IN THE HIGH COURT OF JUDICATURE AT PATNA
C.R. No.743 of 2006
YUGAL MANJHI
Versus
BHOLA CHOUDHARY & ORS
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3 10.11.2008 Heard Counsel for the parties.

In the opinion of this Court, when the plaintiff-petitioner has challenged the correctness of a sale deed dated 2.7.2005 in the instant suit and the said sale deed had been acted upon at the behest of the intervener in a preemption proceeding, holding it not only valid but also by directing the petitioner to execute a sale deed in terms of Section 16(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus land) 1961, it cannot be said that the interveners in whose favour such order of impleadment has been passed, are neither necessary nor proper party to the suit in question.

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That being so, the Court below has not committed any jurisdictional error in allowing the prayer for impleadment of the interveners in exercise of its power under order-1 Rule 10 of Code of Civil Procedure.

Consequently, there is no merit in this civil revision application and the same is accordingly dismissed.

Rsh **(Mihir Kumar Jha, J.)**